IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE
SECOND APPEAL NO.1363 OF 2005

Vishnu Bhimrao Patil & anr. ..Appellants.
Vs.
Smt. Bayabai w/d Dattu Kadam ..Respondent.

...

Mr. P.D. Dalvi for the Appellants.

CORAM : DR.D.Y.CHANDRACHUD, J.
18th November, 2005.

P.C. :

In confirming the judgment of the Trial Court holding that the sale deed executed by the First Defendant in favour of the Second Defendant was sham and bogus, the First Appellate Court has furnished cogent reasons. These reasons and the appreciation of evidence are contained in paragraphs 14 to 18 of the impugned judgment and order. Admittedly, the Plaintiff – Respondent is an illiterate lady and there was an admission on the part of the Defendants – Appellants that she fully relied upon the First Appellant. On the basis of a power of attorney obtained by the First Appellant, the property was purportedly transferred to the Second Appellant who is the wife of the First Appellant. On the basis of the evidence on record and finding by the Trial Court and the Appellate Court that the transaction was sham and bogus, the Second Appeal does not raise any substantial question of law and is accordingly dismissed.